

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

03-MD-1570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

ORDER

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SARAH NETBURN, United States Magistrate Judge:

This document relates to:

Havlish, et al. v. bin Laden, et al., No. 03-cv-9848

The Havlish plaintiffs request that the Court extend their writ of execution. ECF No. 7442. That request is GRANTED.

N.Y. CPLR § 5232(a) gives a judgment creditor 90 days to request an extension to a writ of execution or perfect a levy of assets through turnover proceedings. Wordie v. Chase Manhattan Bank, 529 N.Y.S.2d 1 (1988). “Under CPLR § 5240, a Court ‘may at any time, on its own initiative or the motion of any interested person, and upon such notice as it may require, make an order denying, limiting, conditioning, regulating, extending or modifying the use of any enforcement procedure.’” S.E.C. v. Pentagon Cap. Mgmt. PLC, No. 08-cv- 3324 RWS, 2013 WL 5815374, at *3 (S.D.N.Y. Oct. 29, 2013) (“CPLR 5240 is an omnibus section empowering the court to exercise broad powers over the use of enforcement procedures.” Id. (quoting Paz v. Long Island R.R., 241 A.D.2d 486, 661 N.Y.S.2d 20, 22 (2d Dep’t 1997)) (internal quotation omitted)).

The Havlish writ has been stayed pending further order of the Court, to permit the government time to prepare a statement of interest pursuant to 28 U.S.C. § 517. ECF No. 7269. Absent extension, the Havlish plaintiffs report that their writ will expire on December 11, 2021.

Additionally, the Court granted a motion to extend a comparable writ in Does 1 through 7 v. Taliban, No. 20-mc-00740 (KPF), ECF No. 41, which will not expire until further order of the court. Accordingly, the Havlish plaintiffs' writ is hereby extended and will not expire until further order of the Court.

SO ORDERED.

DATED: New York, New York
December 10, 2021



SARAH NETBURN
United States Magistrate Judge